

AO 120 (Rev. 3/04)

08 CV 602 JM WMC

TO: Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court Southern Dist of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO.	DATE FILED 4/2/2008	U.S. DISTRICT COURT Southern Dist of California
PLAINTIFF ASUSTEK COMPUTER, INC.		DEFENDANT INTERNATIONAL BUSINESS MACHINES CORPORATION
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,041,346	3/21/2000	Asustek Computer, Inc.
2 7,103,765	9/5/2006	Asustek Computer, Inc.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1					
2					
3					
4					
5					

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
<i>attached</i>

CLERK	(BY) DEPUTY CLERK <i>A. Garcia</i>	DATE 4/5/08
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ASUSTEK COMPUTER, INC.,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Counterclaimant,

v.

ASUSTEK COMPUTER, INC. and ASUS
COMPUTER INTERNATIONAL,

Counterclaim Defendants,

ASUSTEK COMPUTER, INC. and ASUS
COMPUTER INTERNATIONAL,

Counterclaim Plaintiffs,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Counterclaim Defendant.

Case No. 08-CV-602-MMA (WMC)

**ORDER GRANTING JOINT MOTION
FOR DISMISSAL AND DISMISSING
ACTION**

[Doc. No. 148]

1 WHEREAS, on April 2, 2008, Plaintiff ASUSTeK Computer, Inc. ("ASUSTeK")
2 commenced this action for patent infringement against International Business Machines
3 Corporation ("IBM");
4

5 WHEREAS, IBM answered ASUSTeK's complaint and asserted counterclaims against
6 ASUSTeK and ASUS Computer International (collectively, "ASUS");
7

8 WHEREAS, ASUS and IBM have filed a Stipulation of Dismissal with this Court advising
9 the Court that the parties have reached a mutually satisfactory resolution of all issues between
10 them that were the subject of this action; and
11

12 WHEREAS, upon consideration of the Stipulation, the Court finds that entry of an order
13 dismissing all claims by and between ASUS and IBM is in the interests of justice.
14

15 WHEREFORE, THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES:

16 1. This action in its entirety, including complaint, amended complaint, answers,
17 amended answers, counterclaims, amended counterclaims and counter-counterclaims, is
18 **DISMISSED WITH PREJUDICE**;

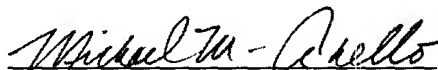
19 2. Each party shall bear its own attorney's fees and costs and expenses incurred by or
20 on behalf of said party in connection with this action; and

21 3. All unresolved pending motions in this action if any, between these settling parties
22 are denied as moot.

23 The Clerk of Court is instructed to enter final judgment in accordance with the conditions
24 and terms stated herein, and to terminate the case.

25 **SO ORDERED.**

26 Dated: October 2, 2009



Hon. Michael M. Anello
UNITED STATES DISTRICT COURT